Office of the Registrar of Lobbyists

2008-2009

Report on Plans and Priorities

The Honourable Vic Toews, P.C., Q.C., M.P.
President of the Treasury Board

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SECTION I – DEPARTMENTAL OVERVIEW

Registrar's Message

The plans and priorities described in this document have been developed in anticipation of the *Lobbying Act* coming into force during the planning period. The *Lobbying Act* replaces the *Lobbyists Registration Act* and will include:

- an independent Commissioner of Lobbying with a strong mandate to investigate violations of the *Lobbying Act* and the *Lobbyists' Code of Conduct*;
- a five-year ban on lobbying for ministers, ministerial staff, and senior public servants after they leave office, as well as for members of Prime Ministers' transition teams;
- a ban on the payment and receipt of success or contingency fees;
- requirements that contacts with certain designated public office holders be recorded; and
- a longer period during which lobbying violations may be investigated and prosecuted.

Work to prepare for and implement these and other changes brought by the *Federal Accountability Act* has been included in each of the three priority areas for the Office of the Registrar of Lobbyists (Office) during the planning period.

The Registry of Lobbyists is our principal instrument of transparency. Accessible over the Internet, it is well-known and well-used by lobbyists, journalists, public office holders, citizens and others. During 2007-2008, changes were made to the Lobbyists Registration System (LRS) that will permit the Registry to accommodate the increased disclosure requirements of the *Lobbying Act*. Improvements to the LRS will continue throughout the planning period.

Promoting awareness of the *Lobbying Act* will be key to compliance. The Commissioner of Lobbying will have an explicit mandate to develop and implement educational programs to foster awareness of the requirements of the *Lobbying Act*. As a first step in fulfilling this mandate, awareness and training materials will be developed for distribution prior to the coming-into-force of the *Lobbying Act*, and will be made widely available through the website of the Office of the Registrar of Lobbyists.

The review and investigation workload of the Office has grown over the past three years as our monitoring capacity improved and awareness of our determination to pursue breaches of the *Lobbyists Registration Act* and the *Lobbyists' Code of Conduct* increased. We expect further growth in this area with the greater investigative powers of the Commissioner of Lobbying. In addition, there will be a requirement for enhanced investigative capacity in relation to the Commissioner's new power under the *Lobbying Act* to grant exemptions to the five-year, post-employment ban on lobbying. The Office of the Registrar of Lobbyists will request additional resources to deal with this workload in the Main Estimates submission for 2008-2009.

I am confident that the work set out in this report will contribute substantially to ensuring that the intent of Parliament in enacting the *Lobbying Act* is respected.

Michael Nelson
Registrar of Lobbyists

Management Representation Statement

I submit for tabling in Parliament the 2008-2009 Report on Plans and Priorities for the Office of the Registrar of Lobbyists.

This document has been prepared based on the reporting principles contained in the *Guide for the Preparation of Part III of the 2008-2009 Estimates: Reports on Plans and Priorities and Departmental Performance Reports*:

- it adheres to the specific reporting requirements outlined in the Treasury Board of Canada Secretariat guidance;
- it is based on the department's strategic outcome and program activities that were approved by the Treasury Board;
- it presents consistent, comprehensive, balanced and reliable information;
- it provides a basis of accountability for the results achieved with the resources and authorities entrusted to it; and
- it reports finances based on approved planned spending numbers from the Treasury Board of Canada Secretariat.

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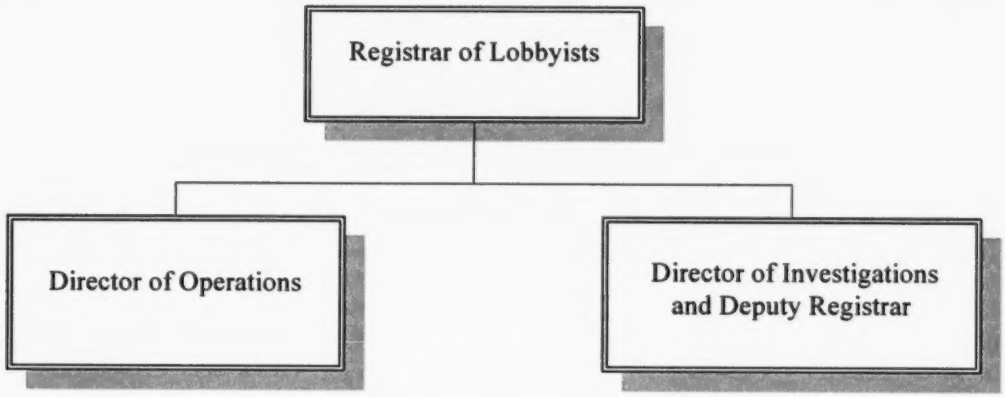
Michael Nelson
Registrar of Lobbyists

Raison d'être

The mandate of the Office of the Registrar of Lobbyists is derived from the *Lobbyists Registration Act* (www.orl-bdl.gc.ca). Its purpose is to ensure transparency and accountability in the lobbying of public office holders with a view to contributing to confidence in the integrity of government decision-making.

Organizational Information

The Management Team



The Registrar is ultimately accountable for the work carried out by the Office of the Registrar of Lobbyists (ORL). The Director of Operations is responsible for the work carried out in the registration process, both paper and web-based. The Director of Investigations is responsible for the work carried out in the enforcement of the *Lobbyists Registration Act* (Act) and *Lobbyists' Code of Conduct* (Code) and the functions of Deputy Registrar.

The ORL obtains some of its corporate services through memoranda of understanding with Industry Canada, the Office of the Superintendent of Financial Institutions, Public Works and Government Services Canada, the Department of Justice Canada and the Department of Finance Canada.

Voted and Statutory Items listed in Main Estimates

(Thousands of dollars)

Vote or Statutory Item	Truncated Vote or Statutory Wording	2008-2009 Main Estimates	2007-2008 Main Estimates
45	Program expenditures	4,097	3,026
(S)	Contributions to employee benefit plans	416	337
	Total Department	**4,513**	**3,363**

The increase in funding in 2008-2009 compared to 2007-2008 will provide the Registrar's office and the future Commissioner's office with the necessary resources to implement the strengthened lobbying provisions of the *Lobbying Act*, including necessary changes to the Lobbyists Registration System, and hiring more staff for its registration and investigative functions.

Planned Spending and Full-time Equivalents

(Thousands of dollars)	*Forecast Spending 2007-2008*	*Planned Spending 2008-2009*	*Planned Spending 2009-2010*	*Planned Spending 2010-2011*
Registration of Lobbyists	1,425	1,900	1,900	1,900
Education and Research	899	987	987	987
Reviews and Investigations under the *Lobbyists Registration Act* and the *Lobbyists' Code of Conduct*	1,039	1,626	1,626	1,626
Budgetary Main Estimates (gross)	**3,363**	**4,513**	**4,513**	**4,513**
Less: Respendable revenue	-	-	-	-
Total Main Estimates	**3,363**	**4,513**	**4,513**	**4,513**
Adjustments				
Supplementary Estimates				
Funding to implement the lobbying provisions of the *Federal Accountability Act*	1,242			
Other				
Treasury Board Vote 23	29			
Employee Benefit Plan (EBP)	22			
Total Adjustments	1,293	-	-	-
Total Planned Spending	**4,656**	**4,513**	**4,513**	**4,513**
Less: Non-respendable revenue	2	2	2	2
Plus: Cost of services received without charge	443	443	443	443
Total Departmental Spending	**5,097**	**4,954**	**4,954**	**4,954**
Full-time Equivalents	**22**	**28**	**28**	**28**

Summary Information

Financial Resources

(Thousands of dollars)

2008-2009	2009-2010	2010-2011
4,513	4,513	4,513

Human Resources

2008-2009	2009-2010	2010-2011
28	28	28

Departmental Priorities

Name	Type
1. Implement the new Lobbyists Registration System	Ongoing
2. Promote awareness of Act and Code requirements	Ongoing
3. Pursue enforcement of the Act and Code and communicate the results	Ongoing

Program Activities by Strategic Outcome

		Planned Spending *(Thousands of dollars)*			
	Expected Results	**2008-2009**	**2009-2010**	**2010-2011**	**Contributes to the following priority**
Strategic Outcome:	Transparency and accountability in the lobbying of public office holders contribute to confidence in the integrity of government decision-making.				Priorities 1,2 and 3
Registration of Lobbyists	i) All lobbying activity is carried out by individuals, organizations and corporations that are properly registered in the Lobbyists Registration System. ii) Canadians have access to information about lobbying and lobbyists.	1,900	1,900	1,900	Priority No. 1
Education and Research	Lobbyists, their clients, public office holders and the public are aware of the scope and requirements of the *Lobbyists Registration Act.*	987	987	987	Priority No. 2
Reviews and Investigations under the *Lobbyists Registration Act* and the *Lobbyists' Code of Conduct*	Alleged breaches of the *Lobbyists Registration Act* and the *Lobbyists' Code of Conduct* are determined to be either unfounded or true so that they may be subjected to the appropriate sanctions.	1,626	1,626	1,626	Priority No. 3

Departmental Plans and Priorities

The Office and its role will change substantially with the coming into force of the *Federal Accountability Act*'s lobbying provisions. Internally, there will be increased responsibilities to manage as a fully independent entity. Externally, there will be a need to assist public office holders, lobbyists, their clients, and others in understanding the *Lobbying Act* while carrying out an expanded investigative mandate.

The Office will deal with the challenges of this evolving operating environment by integrating sound business planning, risk management and human resources planning in each of its priority areas for the planning period.

Priority #1: Implement the new Lobbyists Registration System. Accommodating the increased disclosure requirements of the *Lobbying Act* required a major redesign of the Lobbyists Registration System (LRS). The LRS is the Internet-based software application that is used by lobbyists to carry out registration, updates and renewals and by lobbyists and others to carry out searches of the Registry. The LRS will be ready upon coming-into-force to accept registrations, including new monthly reports on communication with certain public office holders. However, it is anticipated that users may take some time to become familiar with the updated system and to use its new features effectively. The Office will use a combination of enhanced help screens, online tutorials and telephone assistance to ensure that implementation of the updated LRS is as smooth as possible.

Priority #2: Promote awareness of Act and Code requirements. Promoting awareness of the *Lobbying Act*, including how it applies to individuals who may be required to register because of their activities, is key to increasing compliance. The *Lobbying Act* will bring many changes that will need to be explained to various audiences. The Office will develop a comprehensive education and awareness strategy to enhance its current outreach efforts. Maximum use will be made of partnerships and information technology in order to leverage the Office's outreach capacity.

Priority #3: Pursue enforcement of the Act and the Code and communicate the results. The emphasis in Priority #2, above, will be on assisting those who intend to comply with the *Lobbying Act*. Priority #3 is aimed at those who do not comply. The Office will continue to enhance its capacity to monitor media and other sources for indications of illegal or unethical lobbying activity through the use of media monitoring tools. Outcomes of reviews and investigations will be publicized, while respecting the *Privacy Act* and other appropriate legislation, and will be included in educational materials, where appropriate.

SECTION II - ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOME

Analysis by Program Activity

Strategic Outcome:
Transparency and accountability in the lobbying of public office holders contribute to confidence in the integrity of government decision-making.

Program Activity Name:
Registration of Lobbyists – Lobbying the federal government is a legitimate activity but it must be done transparently. The *Lobbyist Registration Act* requires that individuals who are paid to lobby public office holders must disclose certain details of their lobbying activities. The Registrar approves lobbyists' registrations and makes them available for reference in an electronic registry that is accessible on the Internet.

Financial Resources:
(Thousands of dollars)

2008-2009	2009-2010	2010-2011
1,900	1,900	1,900

Human Resources:

2008-2009	2009-2010	2010-2011
10	10	10

Registration of lobbyists is the program activity that supports Priority #1: Implement the new Lobbyists Registration System (LRS). The *Federal Accountability Act* has considerably modified the registration requirements set out in the *Lobbyists Registration Act*, to be renamed the *Lobbying Act*. Upon coming into force of this new legislation, lobbyists will need to have access to a registration system that will incorporate the new legislative and regulatory registration requirements they will be subject to. The LRS is the Internet-based software application used by more than 99.9% of lobbyists for registering their lobbying activities and completing related registration transactions such as amendments, renewals and terminations. The application required major modifications to ensure it will be capable of processing significantly larger numbers of additional transactions, such as monthly reports, that will be required under the *Lobbying Act*. Moreover, additional functions will be added to the LRS to facilitate searches of the registry by members of the public and thus increase transparency. Performance of the program activity is to be measured with indicators such as the number of visits recorded on the ORL's website, as well as the number of completed registrations and terminated registrations.

Expected Results	Performance Indicators
All lobbying activity is carried out by individuals, organizations and corporations that are properly registered in the Lobbyists Registration System.	Completeness of active registrations in the Lobbyists Registration System.
Canadians have access to information about lobbying and lobbyists.	Online availability of the registry of lobbyists.

Analysis by Program Activity

Strategic Outcome:
Transparency and accountability in the lobbying of public office holders contribute to confidence in the integrity of government decision-making.

Program Activity Name:
Education and Research – The Office develops and implements educational and research programs to foster awareness of the requirements of the *Lobbyists Registration Act* and the *Lobbyists' Code of Conduct*. The primary audiences for programs are lobbyists, their clients and public office holders.

Financial Resources:
(Thousands of dollars)

2008-2009	2009-2010	2010-2011
987	987	987

Human Resources:

2008-2009	2009-2010	2010-2011
6	6	6

The Education and Research Program Activity is in direct support of Priority #2: Increase awareness of Act and Code requirements. The new Commissioner of Lobbying will have an explicit mandate to enhance awareness of the scope and requirements of the *Lobbying Act* by lobbyists, their clients, public office holders, and the public at large. These same individuals will also be targeted for outreach activities to ensure they fully understand the new registration requirements of the *Lobbying Act*. The outreach activities will include direct communications with lobbyists, the media and the public via the website; issuance of advisory letters to lobbyists who are alleged to have conducted unregistered lobbying activities; information sessions; media relations; conferences and learning events; briefings for federal government institutions; and dialogue with other jurisdictions. Performance will be measured by the number of ORL presentations made and the number of advisory letters to which ORL receives a reply.

Expected Result	Performance Indicator
Lobbyists, their clients, public office holders and the public are aware of the scope and requirements of the *Lobbyists Registration Act*.	Survey conducted in the third quarter of every year.

Analysis by Program Activity

Strategic Outcome:
Transparency and accountability in the lobbying of public office holders contribute to confidence in the integrity of government decision-making.

Program Activity Name:
Reviews and Investigations under the *Lobbyists Registration Act* and the *Lobbyists' Code of Conduct* – The Office validates information provided by registered lobbyists to ensure accuracy. Allegations of non-registration or misconduct by lobbyists are reviewed and formal investigations are carried out when required.

Financial Resources:
(Thousands of dollars)

2008-2009	2009-2010	2010-2011
1,626	1,626	1,626

Human Resources:

2008-2009	2009-2010	2010-2011
12	12	12

The Reviews and Investigations Program Activity is in direct support of Priority#3: Pursue enforcement of the Act and the Code and communicate the results. It is important that the lobbying community, public office holders, and the public be aware that the law is being enforced. The Office has increased its staff and expertise to better review allegations of non-registration or Code of Conduct breaches. Performance will be measured by the number of reviews or investigations initiated.

Expected Result	Performance Indicator
Alleged breaches of the *Lobbyists Registration Act* and the *Lobbyists' Code of Conduct* are determined to be either unfounded or true so that they may be subjected to the appropriate sanctions.	Number of alleged breaches of the *Lobbyists Registration Act* and the *Lobbyists' Code of Conduct* which result in decisions.

SECTION III – SUPPLEMENTARY INFORMATION

Table 1: Departmental Link to the Government of Canada Outcomes

Strategic Outcome: Transparency and accountability in the lobbying of public office holders contribute to confidence in the integrity of government decision-making.				
	Planned Spending *(Thousands of dollars)*			**Alignment to Government of Canada Outcome Area**
	2008-2009	**2009-2010**	**2010-2011**	
Registration of Lobbyists	1,900	1,900	1,900	All Government of Canada Outcome areas
Education and Research	987	987	987	All Government of Canada Outcome areas
Reviews and Investigations under the *Lobbyists Registration Act* and the *Lobbyists' Code of Conduct*	1,626	1,626	1,626	All Government of Canada Outcome areas

Canada's lobbying legislation concerns much more than creating a public registry. Parliamentarians intended the *Lobbyists Registration Act* to contribute in an important way to confidence in the integrity of government decision-making. The *Lobbying Act* will provide for a strong regime of transparency and accountability for those who communicate with public office holders with respect to a wide range of government decisions on legislation, regulations, policies, programs, grants, contributions and other matters. Through administration and enforcement of federal lobbying legislation, the plans and priorities set out in this document will contribute to all Government of Canada Outcome areas.

You can find additional information in electronic format for the following tables:

- Green Procurement
- Services Received Without Charge
- Sources of Respendable and Non-respendable Revenue

Electronic tables can be found on the Treasury Board Secretariat's website at http://www.tbs-sct.gc.ca/est-pre/20082009/p3a_e.asp.